IN RE: PETITION FOR ADMIN, VARIANCE

S/S Sandspring Court, 470 ft. S of Trickling Brook Road 8th Election District 4th Councilmanic District 11 Sandspring Court Frank Smith, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 99-261-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Frank Smith and Hallie Smith, his wife, property owners, for that property known as 11 Sandspring Court in the Springdale subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 5 ft. and a sum of 23 ft. for both side yards, in lieu of the required 10 ft. and 25 ft. sums, respectively, for an addition to the existing one car attached garage. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.

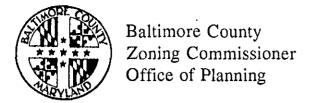


THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ________ day of February, 1999 that the Petition for an Administrative Variance from Section 1B02.3.C of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 5 ft. and a sum of 23 ft. for both side yards, in lieu of the required 10 ft. and 25 ft. sums, respectively, for an addition to the existing one car attached garage, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWKENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

February 16, 1999

Mr. and Mrs. Frank Smith 11 Sandspring Court Cockeysville, Maryland 21030

RE: Petition for an Administrative Variance

Case No. 99-261-A

Location: 11 Sandspring Court

Dear Mr. and Mrs. Smith:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn Encl.



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at SANDSPRING CT which is presently zoned

This Petition shall be filed with the Dept. of Permits & Development Management
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 BO2. 3 CCHROT. TO PEDLAG.

A 5 FT SVDE PARTO SECREDAKS A SULLOF 23 FT. ROLBOCH SUDE PARTOS.

IN LIGHT OF THE REQUIRED 10 FT. \$25 FT. SUM.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) The dwelling on this property has an attached one can garage. To locate a detached one ear garage in the rear, to conform to anning codes, would impose a cost penalty on the owner and degrade the esthetics of the property for the n'eighbors, as opposed to the proposed one car extention to the existing garage. See attached for

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

City	State	Žipcode	. Address Phone No.	
Address	Phone	No.	Namo	
Signature			City State Zipcode Name, Address and phone number of representative to be contacted	
(1366 ot Luit Istina)			COCKEYSUILLE MD 21030	
Attorney for Petitioner (Type or Print Name)			11 SANDSPRING CT. 410 667 64	40
·	many	C.P45	•••	
City	State	Zipcode	Haelie Smit	
Address	-7 , ,/·· , s -3-4-		HALLIE SHITH	
Signature			Signature Smith	
(Type or Print Name)			(Type or Print Norfie)	
Contract Purchaser/Lessee			FRANK SMITH	
O A Direct coord organi			legal owner(s) of the property which is the subject of this Petition. Legal Owner(s):	ie ine
			I/We do solemnty declare and affirm, under the penalties of perjury, that I/we a legal owner(s) of the property which is the subject of this Petition.	r

Loning Commissioner of Baltimore County



REVIEWED BY: SOD DATE: 1-13-99. 1-24.99. ESTIMATED POSTING DATE:

circulation, throughout Baltimore County, and that the property be reposted.



A Public Hearing having been requested and/or found to be required, it is ordered by the Loning Commissioner of Baltimore County, this

Printed with Snyboan Ink

ITEM #: 99-261-6-

that the subject matter of this petillon be set for a public hearing, advertised, as required by the Zoning Regulations of Battimore County, in two newspapers of general

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

• • • • • • • • • • • • • • • • • • • •	address	1		1
	COCKERSUILLE	State	Zip Code	
That based upon personal knowledge, the fo Variance at the above address: (indicate hardship	Howing are the facts upon which I/wo or practical difficulty)	e base the reques	t for an Administrative	
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	neighbors, as		•	secl
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stated for edded				-
That Affiant(s) acknowledge(s) that if a promay be required to provide additional inform	eation.	Hallie or print name)	ting and advertising fee and Smith	
THEREBY CERTIFY, this day of Maryland, in and for the County aforesaid	of MANAMAN 19	H, before me Sm H	, a Notary Public of the State	_
the Affiants(s) herein, personally known or s that the matters and facts hereinabove set for	satisfactorily identified to me as such orth are true and correct to the beside	Afiantt(s), and of his/her/their kr	made bath in due form of law lowledge and belief.	i
AS WITNESS my hand and Notarial Seal.	NOTARYPUBLIC		DOU'S	-
date	My Commission E	upires:	-4	
,	()	· 11-1	-W	

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	11 SA	UDSPRIN	4 CT	
	address		, UN	2(03()
	COCKEY!	SU/CC-	State	Zip Code
That based upon personal knowledge, the followariance at the above address: (indicate hardship of	owing are the fact: r practical difficulty)	s upon which I/we	base the request	for an Administrative
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That Affiant(s) acknowledge(s) that if a prote may be required to provide additional information of the county of BAL I HEREBY CERTIFY, this day of Maryland, in and for the County aforesaid, the Affiants(s) herein, personally known or sa that the matters and facts hereinabove set for as WITNESS my hand and Notarial Seal.	TIMORE O with appears of the factors by the factors	(signal to me a schools)	Hallie or print name) Affianti(s), and n	Smith a Notary Public of the State
AS WITNESS my hand and Notarial Seal.	Í	NOTARY FUELLY	CJO	alle
•	М	y Commission Ex	11/E	D .

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

This Petition shall be filed with the Dept. of Permits & Development Management: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county and which is described in the description and plat attached to the county at the count
Hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302,30 (CUPART) TO FERMIT ASFT. SIDE MOND SETBACK? A SUMER 23 FT. FOR
BOTH SIDE YAMDS IN LIEW OF THE REQUIRED 10 FT. & 25 FT. Sum.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The dwelling on this property has an attached one car garage. To locate a detached one ear garage in the rear, to conform to anning codes, would impose a cost penalty on the owner and degrade the esthetes of the property for the neighbors, as opposed to the proposed one car extention to the existing garage. See all acheclifor

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			legal awner(s) of the property which is the subject of th	is Petition.
Contract Purchaser/Lessee			Legal Owner(s)	
(Type or Print Name)			(Type or Print Name)	2
Signature			Signature	
Address			TYPE OF Print Name)	
City	State	Zipcode	Signature	
Attorney for Petitioner			11 SANDSPRING CT.	410 667 6440
(Type or Print Name)			Address	Phone No
Signature			COCKEYSUILLE MD City State Name, Address and phone number of representative	
Address	Phone	No.	Name	····
City	State	Zipcode	Address	Phone No
A Public Hearing having beer	requested and/or loun	d to be required, it is orde	red by the Zoning Commissioner of Baltimore County, this	day of, 19_

Zoning Commissioner of Baltimore County

REVIEWED BY: JOH DATE: 1:13-99. BS

circulation. Inraughout Baltimore County, and that the property be reposted.



Printed with Soybean link on Recycled Paper

that the subject matter of this petition be set for a public hearing, advertised, as required by the Loning Regulations of Baltimore County, in two newspapers of general

there is a need to keep both cars protected from the elements and also keep my wife and myself in our senior years protected from falling an iee and rain slick driveway. The unique shape of this lot and existing large trees would make a detached rear garase difficult and add easthetically unpleasing driveways. The rear garase would not help the protection of my wife and myself from toweling over icy or wet pavement.

ZONING DESCRIPTION for 11 SANDSPRING COURT

Begining at a point on the south and of Soudspring Court which is at the end of a cul-de-sec and having a 50' radius at that point and being 470' south of Trickling Brook Road. Being Lot # 22, Block K, Section #3 in the subdivision of Springdale as recorded in Baltimore County Plat Book # 32, Plat # 8, Folio # 107 containing 12,170 square feet. Also known as 11 Sandspring Ct and located in the 8th Electron District, 4th Council manic District

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FOR: TETAL	V '3 C3	99-261-A
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTO	MER 99-201-A.	CASHIER'S VALIDATION

TE OF POSTING

ADMIN. 9-261-A

RE: Case No.:

Petitioner/Developer: SMITH, ETAL

Date of Hearing/Closing.

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #11-SANDSTRING CT-The sign(s) were posted on

> Patuch MOKache 7/1/95 MMOKafo 2/1/99 Sincerely, (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666:5366; CELL: 410-905-8571 (Telephone Number)

#11 SANDSTRING LT.

ZONING FIEVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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JNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

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Stacy Gardner Shannon-Baum Signs, Inc. 105 Competitive Goals Drive Eldersburg, MD 21784

Richard Hoffman 904 Dellwood Drive Fallston, MD 21047

Garland E. Moore 3225 Ryerson Circle Baltimore, MD 21227 om Ogle

325 Nicholson Road कर्म no अBaltimore, MD 21221 Patrick M. O'Keefe, Sr. 523 Penny Lane (Cley MD 21030

Hunt Valley, MD 21030 12710 Off.

Linda M. Jones Daft-McCune-Walker, Inc. 200 East Pennsylvania Avenue Towson, MD 21286 不知义心态激激的气物

Telephone: 410-781-4000 Toll Free: 800-368-2295 410-781-4673

410-879-3122

Telephone: 410-242-4263 Mobile: 10-382-4470

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Telephone: 410-687-8405 Mobile: 410-262-8163 Fax: 410-687-4381

HIPO A STREET, THE WASHINGTON TO STREET, WILLIAM CO. Telephone: 410-666-5366 Cell: 410-905-8571 Cell: 410-905-8571 Fax: 410-628-2574

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Fax: 410-296-4705

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Miles , The Rolling Hall by the way THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 10/21/98

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

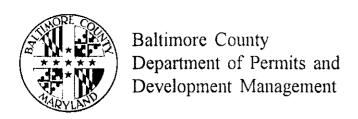
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Revised 2/20/98 - SCJ

99-261-0



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 8, 1999

Mr. & Mrs. Frank Smith 11 Sandspring Court Cockeysville, MD 21030

RE: Item No.: 261

Case No.: 99-261-A

Location: 11 Sandspring Court

Dear Mr. & Mrs. Smith:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 13, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

Zoning Review

Come visit the County's Website at www.co.ba.md.us

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development Management

FROM:

R. Bruce Seeley, Project Manager RON / MD Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

262 264

266

267

MARYLAND BALTIMORE COUNTY,

TNTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: January 28, 1999

Department of Permits & Development

Management

FROM

Robert W. Bowling, Supervisor Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 1, 1999

Item Nos. 259, $\int 261 \sqrt{266}$, and 267

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: January 28, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 259, 261 and 263

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Effry M. Long

Section Chief: _

AFK/JL



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

January 28, 1999

Arnold Jablon, Director Zening Administration and Development Management Baltimere County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 25, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Eureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

259, (261), 262, 263, 264, 265, 266 and 267

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 387-4881, MS-1102F

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 1.22.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 261

JRA

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. Dredle

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

SPRINGDALE COMMUNITY ASSOCIATION

PO BOX 194

Cockeysville, Maryland 21030

July 6, 1998

Mr. & Mrs. Frank Smith 11 Sandspring Court Cockeysville, Maryland 21030

Dear Mr. & Mrs. Frank Smith:

At our monthly meeting on July 6, 1998, The Community Association approved your requests to extend the current garage creating a 2 car garage as per drawings submitted. The garage must be appropriately landscaped.

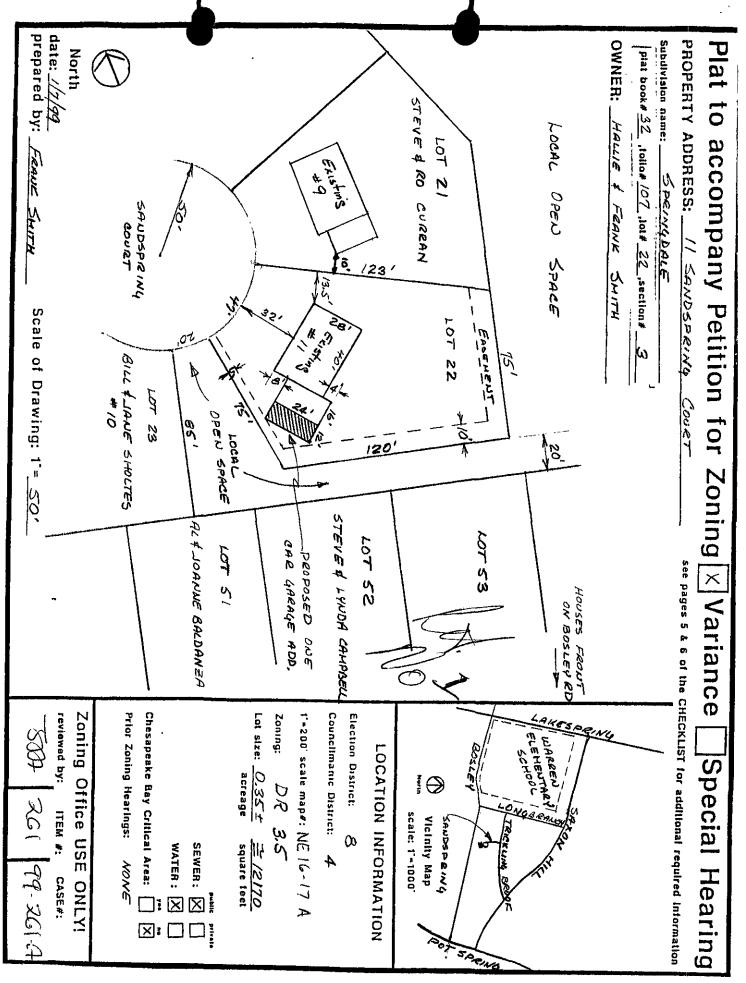
Thank you for cooperating with your Community Association.

For the Community Association,

Hav Hurd

Covenants and Restrictions

2G1 99.Z61-A









99-261-A





99.261-A

